

Also, Applicant has amended claims 4, 11, 16, 29, and 43 to comply with proper Markush language. Consequently, Applicant respectfully requests withdrawal of the 35 USC Section 112 rejection of claims 16 and 29.

Applicant respectfully notes that claims 4 – 6, 8, 11, 32, 34, 37, and 38 were not rejected under 35 USC Section 102(b) over Derr (U.S. Patent 1,805,038). Applicant has amended claims 1 and 14 to include language similar to original claim 4 (corrected to comply with MPEP Section 608.01(n)). Hence, Applicant respectfully believes claims 1 – 44 to be in condition for allowance and respectfully requests withdrawal of the 35 USC Section 102(b) rejection of claims 1-3, 7, 9, 10, 12 – 31, 33, 35, 36, and 39 – 44 over Derr.

Applicant respectfully requests reconsideration and withdrawal of the double patenting rejection of claims 1 – 3, 7, 9, 10, 12 – 31, 33, 35, 36, and 39 – 44 over the claims of U.S. Patent 6,340,514 and over the claims of co-pending application No. 09/679,467 in light of the amendment of claims 1 and 14.

In light of the above, Applicant respectfully believes the present application to be in condition for allowance. An early and favorable action to that effect is earnestly solicited.

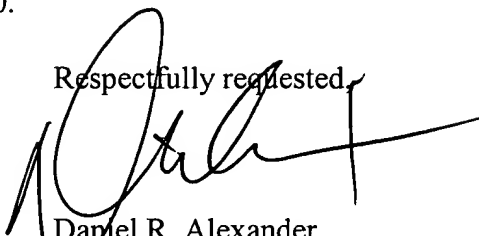
Attached hereto is a marked-up copy of the revised claims for the Examiner's convenience.

Should any matter of form or language stand in the way of allowance of the present application, the undersigned respectfully requests a telephone conference to resolve such issues.

Please charge any delinquency in fees or credit any overpayment in connection with this
Amendment to Deposit Account 04-0500.

January 21, 2003

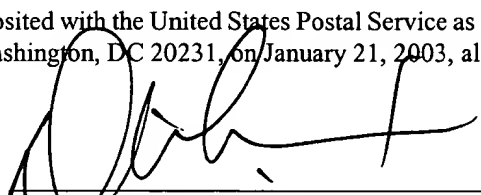
Respectfully requested,



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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, Washington, DC 20231, on January 21, 2003, along with a postcard receipt.



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MARKED UP SET OF CLAIMS

1. (Amended) A cushioned floor mat comprising
a rubber mat structure comprising
at least a first layer comprised of foam rubber; and
a plurality of protrusions integrated within said rubber mat structure, wherein at least one of said protrusions integrated within said mat structure has a cross section shape selected from the group consisting of circular, oval, elliptical, octagonal, rounded, polygonal, letters, numbers, and combinations thereof.
4. (Twice Amended) The floor mat [of at least] as in any one of Claims 1, 2, and 3, wherein each [at least one] of said protrusions integrated within said mat structure has a cross section shape [of at least one] selected from the group consisting of circular, oval, elliptical, octagonal, rounded, and polygonal.
5. (Twice Amended) The floor mat [of at least] as in any one of Claims 1, 2, and 3, wherein at least one of said protrusions integrated within said rubber mat structure is located on the top surface of said mat.
6. (Twice Amended) The floor mat [of at least] as in any one of Claims 1, 2, and 3, wherein the thickness of the resultant first layer of foam rubber is from about 5 to about 500 mils.
8. (Twice Amended) The floor mat [of at least] as in any one of claims 1, 2, 3, and 7, wherein

said rubber mat structure includes at least one of cleats and texture on one of the upper or lower surfaces thereof.

11. (Twice Amended) The floor mat [of at least] as in any one of Claims 1, 2, 3, 7, 9, and 10, wherein the protrusions are [shaped or arranged in at least one of] in arrangements selected from groups, designs, patterns, stripes, words, [and] or combinations thereof.

14. (Amended) A method of a forming a cushioned dust control mat comprising the steps of

- (a) placing a die having at least a first and second side over at least a portion of at least one layer of unvulcanized rubber and of at least one layer of unvulcanized rubber further comprising at least one blowing agent to form a closed-cell foam rubber structure upon vulcanization, wherein said die has a plurality of portions thereof removed to allow for the entry of molten rubber, and wherein said die is comprised of a material which can withstand vulcanization temperatures and pressures;
- (c) subjecting the resultant composite comprising at least two layers of unvulcanized rubber and the die to vulcanization temperatures and pressures to vulcanize the at least two layers of rubber, and to form a plurality of rubber protrusions through the removed portions of the die, wherein at least one of said protrusions has a cross section shape selected from the group consisting of circular, oval, elliptical, octagonal, rounded, polygonal, letters, numbers, and combinations thereof.

16. (Amended) The method of Claim 14 wherein said removed portions of said die are substantially in the shape [of at least one] selected from the group consisting of letters, numbers, designs, patterns, circles, ovals, ellipsis, polygons, and combinations thereof.

29. (Amended) The floor mat of Claim 1, wherein each of said protrusions have a cross section shape selected from the group consisting [of at least one] of letters, numbers, designs, patterns, circles, ovals, ellipsis, polygons, and combinations thereof.

32. (Amended) The floor mat [of at least one] as in any of Claims 1, 2, 3, 7, 9, 10, 13, 29, 30, and 31, further including a raised border surrounding said protrusions.

34. (Amended) The floor mat [of at least] as in any one of Claims 2 and 3, wherein said second layer of solid rubber comprises an upper cap which covers the upper surface of said mat.

37. (Amended) The floor mat [of at least] as in any one of Claims 1, 2, and 3, wherein said protrusions are located on the bottom surface of said mat.

38. (Amended) The floor mat [of at least] as in any one of Claims 2 and 3, further comprising at least one of nubs and bumps on the upper surface thereof.

41. (Amended) The floor mat [of at least] as in any one of Claims 1, 2, 3, and 7, wherein each of said protrusions has a cylindrical upper end and a lower conical portion.

43. (Amended) The floor mat of Claim 4, wherein said protrusions are [shaped or arranged in at least one of] in arrangements selected from groups, designs, patterns, stripes, words, [and] or combinations thereof.